

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PROPOSED INTERVIEW AGENDA

APPLICANTS: Hetzer et al. GROUP ART UNIT: 2853
SERIAL NO.: 09/911,811 EXAMINER: L. Liang
FILED: July 24, 2001 CONFIRMATION NO.: 6272
TITLE: "ARRANGEMENT AND METHOD FOR DATA FOLLOW UP FOR WARMUP CYCLES OF INK JET PRINT HEADS"

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

SIR:

Applicants requested an interview at the Patent and Trademark Office in connection with the above application, and was informed that, for applications in the "After Final" stage or prosecution, the Examiner's SPE requires submission of a proposed agenda for the interview, which will be considered in determining whether an interview will be conducted. Applicants therefore submit a summary of the topics which Applicants' representative proposes to discuss at the interview.

The Examiner is correct, as stated at page 14 of the Office Action, that a primary difference of opinion which exists at the moment is the meaning of the word "ambient," as used in claim 1. At the interview, Applicants representative proposes to present various arguments in support of Applicants' position regarding the meaning of that term.

Those arguments will include providing dictionary definitions and usages in other patents of the term "ambient temperature," (as opposed to the generic definition of "ambient", by itself, relied upon by the Examiner). An additional argument in support of Applicants' position is the addition, in the last Amendment, of new claim 24, which explicitly claims a sensor that senses the temperature of the ink jet printhead. Under

the doctrine of claim differentiation, this means that the sensor that senses the ambient temperature, claimed in claim 1, cannot be the same as, or perform the same function, as the sensor claimed in claim 24, otherwise claim 24 would be redundant, and thus would be an improper dependent claim. An independent claim cannot be interpreted in a manner that renders one or more of the dependent claims redundant, since it must be assumed that every dependent claim does, in fact, further limit (i.e., add to) the independent claim from which it depends.

If, based on these discussions, a more limiting definition of "ambient temperature" can be agreed upon, Applicants would be agreeable to including such a clarified definition in the language of claim 1. Another alternative which the Applicants are willing to consider is to being the subject matter of claim 24 into claim 1, to explicitly and clearly differentiate between a sensor that senses ambient temperature and a sensor that senses the temperature of the printhead.

Under the Examiner's general definition of "ambient," no useful information could be obtained, since the Examiner is stating that the "ambient" temperature includes not only the temperature of the substrate, but the temperature of a small amount of surrounding air adjacent the substrate. Needless to say, the electrical signal coming from the sensor cannot differentiate between the temperature of heated air and the temperature of the substrate, and therefore such a sensor in the Bullock reference does not provide any additional, useful information which can be analyzed in the manner set forth in claim 1 of the present application.

Granting of the interview will be greatly appreciated, and Applicants therefore respectfully request conducting an interview to discuss the above topics.

Submitted by,

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CERTIFICATE OF TRANSMITTAL BY FACSIMILE

I hereby certify this correspondence is being transmitted by facsimile to Leonard Liang at Group Art Unit 2853 on September 29, 2003 by transmittal to telefax no. (703) 746-9045.

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DATE:	September 29, 2003

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COMMENTS:

Hetzer et al., "ARRANGEMENT AND METHOD FOR DATA FOLLOW-UP FOR WARMUP CYCLES OF INK JET PRINT HEAD" Filed July 24, 2001, USSN 09/911,811, Our Case No. P01,0236 (26988-0088)

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